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PTO/SB/21 (08-00)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/085,885
	<b>Filing Date</b>	February 27, 2002
	<b>First Named Inventor</b>	Anthony J. TICKNOR
	<b>Group Art Unit</b>	2874
	<b>Examiner Name</b>	To Be Assigned
<b>Total Number Of Pages In This Submission</b>	6 + 11 References	<b>Attorney Docket No.</b> 373722002400

**ENCLOSURES (check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group   |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment / Reply                                      | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)   |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations                                | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                              | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. Form PTO-1449 w/Copy - 2 pages<br>2. Eleven (11) References<br><b>Return Postcard</b> |
| <input type="checkbox"/> Express Abandonment Request                            | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input checked="" type="checkbox"/> Information Disclosure Statement - 3 pages  | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                 | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | <b>Remarks</b>   |   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |  |   |

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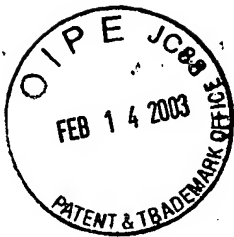
<b>Firm or Individual Name</b>	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018
<b>Signature</b>	Charles D. Holland, Reg. No. 35196
<b>Date</b>	February 11, 2003

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Kerry Keehan

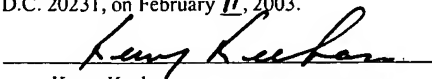
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PATENT  
Docket No. 373722002400  
Client Ref. A063

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Anthony J. TICKNOR et al.

Serial No.: 10/085,885

Filing Date: February 27, 2002

For: MICROFLUIDIC CONTROL FOR  
WAVEGUIDE OPTICAL SWITCHES,  
VARIABLE ATTENUATORS, AND  
OTHER OPTICAL DEVICES

Examiner: To Be Assigned

Group Art Unit: 2874

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**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

Applicants bring to the attention of the Examiner the following co-pending application:

Application No. 10/087,264, by Giacomo Vacca et al., filed February 28, 2002

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 373722002400. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 11, 2003

Respectfully submitted,

By: 

Charles D. Holland  
Registration No. 35,196

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Form PTO-1449

Docket Number 373722002400

Application Number 10/085,885

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

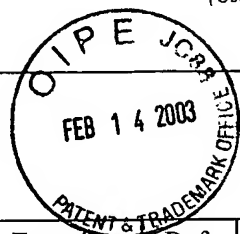
Applicant

Anthony J. TICKNOR et al.

Filing Date February 27, 2002

Group Art Unit 2874

Mailing Date February 11, 2003



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/19/1985	4,505,539	Auracher et al.			
	2.	04/04/1989	4,818,052	Le Pesant et al.			
	3.	01/19/1993	5,181,016	Lee			
	4.	02/27/2001	6,195,478	Fouquet			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES	NO
	5.	10/01/1998	DE 197 11 564	Germany			Abstract	
	6.	01/07/1998	EP 0 815 940	Europe				
	7.	12/16/1998	EP 0 884 714	Europe				
	8.	12/01/2000	FR 2 794 039	France			Abstract	
	9.	11/16/1988	GB 2 204 710	Great Britain				
	10.	09/30/1992	GB 2 254 161	Great Britain				

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	11.	Togo, H. et al. (1999). "Multi-Element Thermo-Capillary Optical Switch and Sub-Nanoliter Oil Injection for its Fabrication," <i>Miro Electro Mechanical Systems. 12<sup>th</sup> IEE International Conference. January 17-21, 1999</i> pp. 418-423.

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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.